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10/29/2019
JKT
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

UNITED STATES OF AMERICA :
:
v. : CRIMINAL NO. 4:19-MJ-131 (MSH)
: *SEALED*
KOFI APPIAH :
:_____:

GOVERNMENT'S MOTION FOR A DETENTION HEARING

COMES NOW the United States of America, by and through its attorney, the United States Attorney for the Middle District of Georgia, and files this motion and requests the defendant in the above-styled case be detained pursuant to 18 U.S.C. § 3142 (e) and (f), and in support of said motion shows the following:

1. FACTUAL BASIS

The conspiracy involves violations of federal firearms laws, including the transfer of firearms in a relatively short time period from Georgia to Washington D.C., with the intention of concealing the nature of the transactions, to include the use of straw purchasers. The firearms in question ended up in the residence of a person trafficking over 4 million dollars' worth of heroin, laced with deadly fentanyl.

2. ELIGIBILITY OF CASE

This case is eligible for a detention order because this case involves one or more of the following:

- A "crime of violence" that involves:
 - the use/attempted use/threatened use of force;*
 - a substantial risk of physical force;*
 - a violation of 18 U.S.C. §§ 2241-2248 (sexual abuse), 2251-2260 (sexual exploitation), or 2421-2427 (transportation for illegal sex acts)*
- A 10+ year federal crime of terrorism listed in 18 U.S.C. § 2332b(g)(5)(B)
- A 10 + year drug offense

- An offense that carries a maximum sentence of life imprisonment or death
- Any felony if the defendant has two or more prior convictions described above or that would have been offenses described above had there existed federal jurisdiction
- Any felony which is not otherwise a crime of violence that involves (1) a minor victim, (2) the possession or use of a firearm or destructive device (18 U.S.C. § 921), or any other dangerous weapon, or (3) a failure to register as a sex offender (18 U.S.C. § 2250)
- Serious risk the defendant will flee
- Serious risk of obstruction of justice

3. REASON FOR DETENTION

The Court should detain defendant because:

- There are no conditions of release which will reasonably assure Defendant's appearance as required
- There are no conditions of release which will reasonably assure the safety of any other person and the community

4. REBUTTABLE PRESUMPTION (if applicable)

The United States will invoke the rebuttable presumption against defendant under 18 U.S.C. § 3142(e) because there is probable cause to believe the defendant:

- Committed 10+ year drug offense AND/OR an offense in which a firearm was used or carried under 18 U.S.C. § 924(c)
- Committed an offense or combination of offenses involving a minor victim enumerated in 18 U.S.C. § 3142(e)(3)(E)
- Has been convicted of a Federal or State offense described in subsection (f)(1) of 18 U.S.C. §3142, and
 - a) The offense was committed while on pretrial bond, and
 - b) A period of five years has not elapsed from defendant's conviction or release from imprisonment for the offense described above

5. **TIME FOR DETENTION HEARING**

The United States requests the Court conduct the detention hearing:

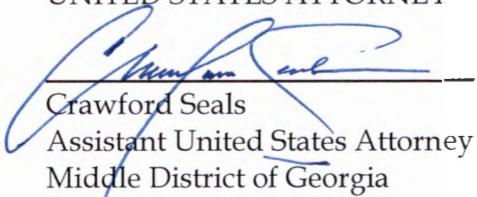
- At the initial appearance
 After a continuance of not more than three (3) days

The United States requests leave of Court to file a supplemental motion with additional grounds or presumption for detention should this be necessary.

Respectfully submitted, this 29th day of October, 2019.

CHARLES E. PEELER
UNITED STATES ATTORNEY

BY:



Crawford Seals
Assistant United States Attorney
Middle District of Georgia